

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 7043 – SB 7023

August 21, 2023

SUMMARY OF BILL: Authorizes persons with an enhanced handgun carry permit to carry a handgun on school, university, or college property unless the person knows that the respective school or university provides armed security on the property. Authorizes off duty law enforcement officers to carry onto school grounds or inside school buildings without giving notice to appropriate staff. Authorizes community correctional officers with enhanced handgun carry permits to carry a handgun at all times on school grounds and inside school buildings while in the course of employment and engaged in the actual discharge of official duties. Prohibits a local education agency (LEA), a public or private institution of higher education's governing entity, from prohibiting its employees or contractors who have enhance handgun carry permits from possessing and carrying a handgun onto school grounds if armed security is not provided at those locations.

FISCAL IMPACT:

Other Fiscal Impact – Liability insurance expenditures for schools is estimated to increase; however, the precise amount or timing of the increase cannot be reasonably determined.

Assumptions:

- Authorizing such individuals to carry a handgun on school, university, or college property will not significantly impact the operations of any such institution.
- LEAs and institutions will be able to update their policies and comply with the proposed legislation within existing resources.
- Based on information provided by the Department Education, locally governed institutions, Tennessee Board of Regents, and the University of Tennessee System, while operations are not expected to be impacted, each entities liability insurance is expected to increase, however the precise increased amount cannot be reasonable determined.
- Pursuant to 39-17-1309(b)(2), it is a Class E felony offense to possess or carry any firearm, explosive, explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, operated, or while in use by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution.

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- Based on information provided by the Department of Correction, there has been an average of one admission per year over the last 10 years for the Class E felony offense under Tenn. Code Ann. § 39-17-1309 for carrying a weapon on school property. Therefore, the proposed exemption will not result in a sufficient decrease in the number of prosecutions for state or local government to experience any significant decrease in expenditures.
- Any impact to the court system as a result of the proposed legislation is estimated to be not significant.
- Each locally governed institution, the University of Tennessee System, and the Tennessee Board of Regents currently have armed security as defined in the legislations provisions, therefore no additional enhanced handgun permits are estimated to be purchased by individuals who would otherwise choose to carry if permitted.
- Based on information provided by the Department of Education armed security for public schools in FY21-22 is provided for an estimated 51 percent of elementary schools, 22 percent middle schools, and 27 percent high schools as a result the proposed legislation could increase the number of enhanced permit holders in those county schools that do not have armed security.
- Allowing such persons to possess or carry a handgun in such locations where security is not provided is estimated to increase the number of enhanced handguns carry permit but any change in the number of permits issued is considered to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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